IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl.M. No.73678-M of 2006

Date of Decision: 8.5.2007

Lakhwinder Kaur

....Petitioner.

Versus

State of Punjab.

...Respondent.

Present:- Ms.G.K.Mann,Advocate
for the petitioner.

Mr.IPS Sidhu, Sr. DAG Punjab.

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S.S.SARON, J.(ORAL)

Heard learned counsel for the parties.

The petitioner seeks pre-arrest bail in respect of a case registered against her for the offence under Section 420 IPC. The FIR in the case has been registered on an application made by Mukhtiar Singh. It has been alleged that the petitioner is a travel agent and she has cheated the complainant Mukhtiar Singh of Rs. 3,17,000/- that was given to her. About three years earlier to the registration of FIR the petitioner had stated that her husband was residing abroad and she promised to send the complainant abroad. Her husband would arrange for visa of the complainant. A deal was struck for Rs.3.50 lac out of which Rs.3,17,000/- were paid in cash. The complainant was sent to Calcutta, Bombay and Delhi and in the end he was sent to Jordan from where he came back. The complainant then asked for return of Rs.3,17,000/- which she has not returned, despite efforts made through Panchayat.

The case set up by the petitioner is that she is an illiterate lady and only fifth pass. The complainant it is alleged had gone abroad through some agent from where he has been duped due to some illegal activities. Thereafter the complainant hatched a conspiracy to extract money from the husband of the petitioner.

During the course of hearing learned State counsel produced the passport of the complainant which contains the entry for travel to Jordan but on the basis of said visa one cannot work there. It is only a tourist visa. The allegation that the complainant has been duped by some other travel agent does not seem to be probable at this stage as to why the complainant would name the petitioner as an accused This is more so for the reason that the husband of the petitioner is abroad.

In the circumstance no ground for pre-arrest bail is made out.

Dismissed.

(S.S.SARON)
JUDGE

May 8,2007
Reema